

04-24-01

CPA/3635\$

PTO/SB/29 (10-00)

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# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for Continuation or Divisional Applications under 37 CFR 1.53(d))

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CHECK BOX, if applicable:  
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<b>Address to:</b>  Assistant Commissioner for Patents Box CPA Washington, DC 20231	Attorney Docket No. of Prior Application	41241.6USD1
	First Named Inventor	Boyer et al.
	Examiner Name	B. Stephan
	Group Art Unit	3635
	Express Mail Label No.	EK912863643US

This is a request for a  continuation or  divisional application under 37 CFR 1.5(d),  
(continued prosecution application (CPA)) of prior application number 09/239,878,  
filed on January 29, 1999, entitled PRE-CAST SECURITY VAULT.

## NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice Changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Office (April 11, 2000).

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 for access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA in the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request. 37 CFR 1.78(a).

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1.  Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a.  DELETE the following inventor(s) named in the prior nonprovisional application:  
.....
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
  - a.  PTO-1449
  - b.  Copies of IDS Citations

[Page 1 of 2]

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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (i))	3	- 20* = 0	x \$9=0	\$ .00
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	1	- 3* = 0	x \$ 40=0	\$ .00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))		N/A	+ \$ _____ =	\$
				BASIC FEE (37 CFR 1.16)	\$710.00
				Total of above Calculations =	\$710.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				\$355.00
	* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.			TOTAL =	\$355.00

6.  Small entity status: Applicant previously filed a small entity statement and such status is still proper and desired. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 10-0447, Reference No. 41241-6USD1.

- Fees required under 37 CFR 1.16.
- Fees required under 37 CFR 1.17.
- Fees required under 37 CFR 1.18.

8.  A check in the amount of \$355.00 is enclosed.

9.  Payment by credit card. Form PTO-2038 is attached.

10.  Applicant requests suspension of action under 37 CFR 1.103(b) for a period of \_\_\_\_\_ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.

11.  New Attorney Docket Number, if desired \_\_\_\_\_.

12. a.  Receipt For Facsimile Transmittal CPA (PTO/SB/29A)  
b.  Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13.  Other: Request for Extension of Time, Priority is claimed to U.S. App. No. 08/93,681 filed Sept. 25, 1997

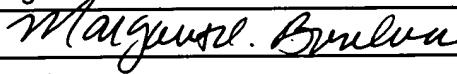
NOTE: The prior application's correspondence address will carry over to this CPA  
UNLESS a new correspondence address is provided below.

**14. NEW CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label OR		<input checked="" type="checkbox"/> New correspondence address below
---	--	--

Name	Margaret A. Boulware Jenkins & Gilchrist				
Address	1100 Louisiana, Ste. 1800				
City	Houston	State	TX	Zip Code	77002
Country	US	Telephone	(713)951-3375	Fax	(713) 951-3314

**15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Margaret A. Boulware				
Signature					
Registration No. (Attorney/Agent)	28,708				
Date	April 18, 2001				

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PATENT  
Attorney Docket No. 41241/00006USD1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark L. Boyer et al.  
Serial No.: 09/239,878  
Filed: January 29, 1999  
Title: PRE-CAST SECURITY VAULT

Art Unit: 3635  
Examiner: Beth A. Stephan

PRELIMINARY AMENDMENT

RECEIVED

Box Fee Amendment  
Assistant Commissioner of Patents  
Washington, D.C. 20231

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Dear Sir:

Applicant has recently received notification of a Final Office Action mailed December 4, 2000 and an Advisory Action mailed February 16, 2001. Applicant respectfully requests the Examiner to enter the following preliminary amendments in this Continued Prosecution Application filed pursuant to 37 C.F.R. § 1.53(d):

CERTIFICATE OF MAILING BY EXPRESS MAIL 37 CFR 1.10

"EXPRESS MAIL" Mailing Label No.: EK912863643US

Date of Deposit 4/23/01

I hereby certify that this paper, including the documents referred to therein, or fee is being deposited with the U.S. Postal Service "Express Mail Post office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Box AF, Washington, D.C. 20231.

Type or Print Name Angela Young

Signature Angela Young